

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: NATIONAL FOOTBALL
LEAGUE PLAYERS' CONCUSSION
INJURY LITIGATION

THIS DOCUMENT RELATES TO:

Plaintiffs' Master Administrative Long
Form Complaint and

MICHAEL MCCOY, Plaintiff

No. 12-md-2323 (AB)

MDL No. 2323

**PETITION TO ESTABLISH
ATTORNEY'S LIEN**

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AND NOW come Petitioners, Sol Weiss and Larry Coben for Anapol Weiss ("Anapol Weiss"), pursuant to an executed Agreement for Legal Services ("Agreement") to petition and states as follows:

1. Petitioners are attorneys at law admitted to practice before the courts of Pennsylvania and file this Petition to establish a lien for attorneys' fees as set forth hereinafter.

2. On or about October 1, 2011, Plaintiff, Michael McCoy retained Anapol Weiss pursuant to the Agreement to pursue a claim for injuries and damages allegedly caused by the National Football League's conduct associated with football-related concussions and head and brain injuries.

3. The Agreement, states in part, that: "You and the Attorneys have agreed that the payment of attorneys' fees will be contingent upon the outcome of the lawsuit."

4. The Agreement, states in part, that: "As with Settlement (see above), the Court must approve attorneys' fees if the lawsuit proceeds as a class action... The Court will award attorneys'

fees in an amount that it deems fair and reasonable to compensate the Attorneys for their efforts on behalf of You and the members of the class.”

5. When Anapol Weiss entered into a contract with Plaintiff, it entered into the risk and expense of the litigation before any settlement discussion had been held.

6. Pursuant to this Agreement, Anapol Weiss filed a Complaint on Plaintiff’s behalf on July 11, 2012, which is the subject of this instant action.

7. From the date Plaintiff authorized Anapol Weiss to proceed on his behalf, Anapol Weiss actively and diligently investigated, prepared, and pursued Plaintiff’s claims, and took all steps necessary to prosecute those claims, including, but not limited to, the preparation and filing of complaints, correspondence and communications with the clients, preparation and review of clients’ factual and legal circumstances, retaining experts, drafting and providing client updates, analyzing Plaintiff’s medical status and need for medical testing, and more.

8. In February 2017, Anapol Weiss registered Plaintiff for the NFL Concussion Settlement Program.

9. On February 2, 2023 Plaintiff notified Anapol Weiss that he had elected to discharge the firm and represent himself in the NFL Concussion Settlement Program.

10. Plaintiff did not terminate Anapol Weiss due to any malfeasance or other improper action.

11. Anapol Weiss claims the right to have a lien for attorneys’ fees and expenses established and enforced upon any sums to be derived from any settlement or judgment obtained or to be obtained by Plaintiff in this action.

WHEREFORE, the Petitioner prays:

1. That an attorney's lien be established;
2. That the amount of the lien be determined;
3. That the Court order that Anapol Weiss be entitled to enforce an attorney's lien against the proceeds to be derived from any settlement or judgment in this action;
4. That the Defendant or the Defendant's insurer be prohibited from paying to the Plaintiff's any sums of money until said lien has been satisfied; and
5. For such other further relief as this Court deems just.

Dated: February 7, 2023

Respectfully submitted,

ANAPOL WEISS

/s/ Sol H. Weiss

Sol H. Weiss, Esquire (I.D. 15925)

Larry E. Coben, Esquire (I.D. 17523)

One Logan Square

130 North 18th Street, Suite 1600

Philadelphia, PA 19103

Phone: (215) 735-1130

Fax: (215) 875-77000

sweiss@anapolweiss.com

lcoben@anapolweiss.com

CERTIFICATE OF SERVICE

It is hereby certified that a true and correct copy of the foregoing Petition to Establish Attorney's Lien was served electronically via the Court's electronic filing system on the 7th day of February 2023, upon all counsel of record.

s/ Sol H. Weiss
Sol H. Weiss, Esquire